

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

TONYA WADDELL,)	Case No. 4:08CV00010
(for Jabrion. K. Waddell))	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
COMMISSIONER OF SOCIAL)	
SECURITY)	By: Jackson L. Kiser
)	Senior United States District Judge
Defendant.)	

Before me is the *Report and Recommendation* of the United States Magistrate Judge recommending that the Commissioner's motion for summary judgment be denied and to remand the case to the Commissioner for further proceedings. This *Report* was filed on December 4, 2008, from which the parties had ten (10) days to file objections. No objections were filed. Accordingly, it is this day **ADJUDGED** and **ORDERED** that the *Report and Recommendation* shall be, and hereby is, **ADOPTED** in its entirety. The Commissioner's motion for summary judgment is **DENIED** and the case is **REMANDED** to the Commissioner for further proceedings under Sentence Four of 42 U.S.C. § 405(g).

The Clerk is directed to send a copy of this *Order* to the *pro se* plaintiff and counsel as well as to Magistrate Judge Crigler.

ENTERED this 12th day of January, 2009.

s/Jackson L. Kiser
Senior United States District Judge